GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PREVENTIVE DETENTION - The Andhra Pradesh Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 (Act No: 1 of 1986) – Order of Detention made by the Collector and District Magistrate, Tirupathi District, againt Sri Kondaraju Rathaiah, S/o Late K.Chinna Venkataiah, Aged 24 years, Kondarajupalli Village, Prakasam District, Andhra Pradesh State - Representations of Smt. K.Tirupathamma, W/o Late K.Chinna Venkataiah, M/o the deteue and Sri Chalam Naresh, S/o Chalam Gangaiah, Friend of the deteue ie., Kondaraju Rathaiah – Examined –Orders – Issued.

GENERAL ADMINISTRATION (SC.I) DEPARTMENT

G.O.Rt.No.2366

Dated:07.11.2022
Read the following:-

1. From the Collector and District Magistrate, Prakasam District, Ongole, Proceedings No. . REV-MAGL-1/483/2022, Dt:07.06.2022.
2. G.O.Rt.No.1153, G.A.(SC.I) Dept., dated 18.06.2022.
3. G.O.Rt.No:1636, GA(SC.I) Dept., Dt:10.08.2022.
4. Representation, Dt:26.07.2022 of Smt. K.Tirupathamma, W/o Late K.Chinna Venkataiah, M/o the deteue ie., Kondaraju Rathaiah.
5. Govt. Memo No: 1758635/GAD01-LOOACTS (PDAA)/93/2022-SC.I/A3-4, Dt:16.08.2022.
6. From the Collector & District Magistrate, Tirupathi District letter No.REV-Magl-1/483/2022, Dt:23.09.2022.
7. .Representation Dt:12.09.2022 of Sri Chalam Naresh, S/o Chalam Gangaiah, Friend of the deteue ie.,Kondaraju Rathaiah.
8. Govt. Memo No.1758635/GAD01-LOOACTS (PDAA)/93/2022-SC.I/A3, Dt:26.09.2022
9. From the Collector & District Magistrate, Tirupathi District letter No.REV-Magl-1/483/2022, Dt:19.10.2022.

&&&&

O R D E R:

In the reference first read above, the Collector and District Magistrate, Tirupathi District, has passed detention order against Sri Kondaraju Rathaiah, S/o Late K.Chinna Venkataiah, Aged 24 years, Kondarajupalli Village, Prakasam District, Andhra Pradesh State, under section 3 (1) & (2) read with Section 2(g) of the Andhra Pradesh Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 (Act No.1 of 1986). After following due procedure, Government had approved and confirmed the detention order in the reference 2nd & 3rd read above.

2. In the reference 4th and 7th read above, Smt. K.Tirupathamma, W/o Late K.Chinna Venkataiah, M/o the deteue ie., Kondaraju Rathaiah and Sri Chalam Naresh, S/o Chalam Gangaiah, Friend of the detenue ie.,Kondaraju Rathaiah had made a representation to the Government and requested to set-aside the detention Order passed against her son and his friend , Kondaraju Rathaiah respectively. In the reference 5th & 8th read above, the remarks have been called for from the Collector and District Magistrate, Tirupathi District, on each contention raised by the petitioners.

3. In the reference 6th & 9th cited, the Collector and District Magistrate, Tirupathi District, has submitted that the detention of Sri Kondaraju Rathaiah, S/o Late K.Chinna Venkataiah, Aged 24 years, Kondarajupalli Village, Prakasam District, Andhra Pradesh

(P.T.O.)

State was strictly according to the provisions of PD Act and the representation *of* the petitioners, i.e., . K.Tirupathamma, W/o Late K.Chinna Venkataiah, mother of the detenue and Sri Chalam Naresh, S/o Chalam Gangaiah, Friend of the detenue ie., Kondaraju Rathaiah against the detention order, has no merits and no truth in the contents of the petitioners and the detention of the detenue is essential for maintenance of public order.

4. Government have examined the representations of K.Tirupathamma, W/o Late K.Chinna Venkataiah, mother of the detenue and Sri Chalam Naresh, S/o Chalam Gangaiah, Friend of the detenue ie., Kondaraju Rathaiah and the report of the Collector & District Magistrate, Tirupathi District, under the provisions of the APPD Act, 1986. It is observed that the *Detenue* has committed 5 property offences and one offence under NDPS Act within limits of various Police Stations within a span of 2 months and he has been habitually committing property offences punishable under Chapter XVII of Indian Penal Code and acting in a manner that is prejudicial to the maintenance of Public order. The Act 1/1986 provides power to preventive detention of an individual to contain his activities which are prejudicial to the maintenance of public order under the following circumstances: (a) "acting in any manner prejudicial to the maintenance of public order" means when a boot-legger, a dacoit, a drug offender, a goonda, an immoral traffic offender, or a land-grabber is engaged or is making preparations for engaging in any of his activities as such, which affect adversely or are likely to affect adversely, the maintenance of public order. For the purpose of this clause public order shall be deemed to have been affected adversely, or shall be deemed likely to be affected adversely inter alia, if any of the activities of any of the persons referred to in this clause directly, or indirectly, is causing or calculated to cause any harm, danger or alarm or a feeling of insecurity among the general public or any section thereof or a grave or widespread danger to life or public health. Further, the applicant has availed the opportunity and represented before the Advisory Board on Preventive Detentions to put her argument/case before the Board.

5. Government therefore, and after careful examination of the matter hereby dispose the representations of the petitioners, i.e., of K.Tirupathamma, W/o Late K.Chinna Venkataiah, mother of the detenue and Sri Chalam Naresh, S/o Chalam Gangaiah, Friend of the detenue ie., Kondaraju Rathaiah as rejected.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

DR.SAMEER SHARMA
CHIEF SECRETARY TO GOVERNMENT

To
Smt. K.Tirupathamma, W/o Late K.Chinna Venkataiah, R/o Kondarajupalli Village, Chandra Sekharayapuram Mandal, Prakasam District.
Sri Chalam Naresh, S/o Chalam Gangaiah, R/o Mellacheruvu, Gollapalle, Srikalahasti Mandal, Chittoor District.
The Collector and District Magistrate, Tirupathi District..
Copy to:
The Superintendent of Police, Tirupathi district.
The Spl. Govt. Pleader, attached to Learned Advocate General, A.P High court, High Court buildings, Nelapadu, Guntur Dist, A.P.
SF/SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER(SC)